

Appendix A
Authorizing Legislation

Section 25:

Section 44415.6 of the Education Code is amended to read:

44415.6. (a) For the 2022–23 fiscal year, the sum of one hundred eighty-four million dollars (\$184,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing to augment the Teacher Residency Grant Program pursuant to Section 44415.5 to support teacher and school counselor residency programs that recruit and support the preparation of teachers and school counselors pursuant to this section. This funding shall be available for encumbrance until June 30, 2027.

(b) For purposes of this section, the following definitions apply:

(1) “Mentor school counselor” means a school counselor who meets all of the following requirements:

(A) Has at least three years of experience and holds a clear pupil personnel services credential with a specialization in school counseling.

(B) Has a record of successful counseling as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(2) “School counselor residency program” means a grant applicant-based program that partners with one or more commission-approved professional preparation programs offering preparation in school counseling provided by a regionally accredited institution of higher education in which a prospective school counselor works at least one-half time alongside a school counselor of record, who is designated as the mentor school counselor, for at least one full school year while engaging in initial preparation coursework.

(c) Of the amount appropriated pursuant to subdivision (a), the commission shall determine how to prioritize funding for residency programs that serve school counselors in training. Funds allocated for teacher residencies shall be subject to the requirements of, and administered pursuant to, subdivisions (c) to (q), inclusive, of Section 44415.5.

(d) Funds allocated by the commission for school counselor residency placements shall be administered pursuant to the following:

(1) The commission shall make one-time grants to grant applicants to establish new school counselor residency programs or add school counselor residencies to existing teacher residency programs that support local efforts to recruit, develop support systems for, provide outreach and communication strategies to, and retain a diverse school counselor workforce that reflects a local educational agency community’s diversity.

(2) Grant recipients shall work with one or more commission-accredited professional preparation programs specializing in school counseling and may work with other community partners or nonprofit organizations to develop and implement programs of preparation and mentoring for resident school counselors who will be supported through program funds and subsequently employed by the sponsoring grant recipient.

(3) A grant applicant may consist of one or more, or any combination, of the following:

- (A) A school district.
- (B) A county office of education.
- (C) A charter school.
- (D) A regional occupational center or program operated by a joint powers authority or a county office of education.

(e) Grants allocated for school counselor residencies pursuant to subdivision (c) shall be up to twenty-five thousand dollars (\$25,000) per school counselor candidate in the residency program of the jurisdiction of the grant recipient, matched by that grant recipient at a rate of 80 percent of the grant amount received per participant, as described in subdivision (g). Residents are also eligible for other forms of federal, state, and local educational agency financial assistance to support the cost of their preparation. Grant program funding shall be used for, but is not limited to, any of the following:

- (1) School counselor preparation costs.
- (2) Stipends for mentor school counselors.
- (3) Residency program staff costs.

(f) A school counselor residency grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(g) A school counselor residency grant recipient shall provide a match of grant funding in the form of one or both of the following:

- (1) Eighty cents (\$0.80) for every one dollar (\$1) of grant funding received per participant, to be used in a manner consistent with allowable grant activities pursuant to subdivision (e).
- (2) An in-kind match of program director personnel costs, mentor personnel costs, or other personnel costs related to the grant program, provided by the grant recipient.

(h) School counselor residency grant recipients shall do all of the following:

(1) Ensure that candidates are prepared to earn a pupil personnel services credential with a specialization in school counseling that will authorize the candidate to perform the following duties:

- (A) Develop, plan, implement, and evaluate a school counseling and guidance program that includes academic, career, personal, and social development.
- (B) Advocate for the high academic achievement and social development of all pupils.
- (C) Provide schoolwide prevention and intervention strategies and counseling services.
- (D) Provide consultation, training, and staff development to teachers and parents regarding pupils' needs.
- (E) Supervise a local educational agency-approved educational counseling program as described in Section 49600.

(2) Ensure that candidates are provided instruction in all of the following:

- (A) Engaging with, advocating for, and providing support for, all pupils with respect to learning and achievement.
- (B) Planning, implementing, and evaluating programs to promote the academic, career, personal, and social development of all pupils, including pupils from low-income families, foster youth, homeless youth, undocumented youth, pupils with disabilities, and pupils at all levels of academic, social, and emotional abilities.
- (C) Using multiple sources of information to monitor and support strategies to improve pupil behavior and achievement.
- (D) Collaborating and coordinating with school and community resources.
- (E) Promoting and maintaining a safe learning environment for all pupils by supporting the provision of restorative justice practices, positive behavior interventions, and support services.
- (F) Intervening to ameliorate school-related problems, including issues related to chronic absences.
- (G) Using research-based strategies to reduce stigma, conflict, and pupil-to-pupil mistreatment and bullying.
- (H) Improving school climate and pupil well-being.
- (I) Enhancing pupils' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs.
- (J) Providing counseling interventions and support services for pupils classified as English learners, eligible for free or reduced-price meals, or foster youth, including enhancing equity and access to the education system and community services.

(3) Prepare candidates to work as a school counselor in a school within the jurisdiction of the grant recipient in which they will work and learn the school culture and climate of the grant recipient.

(4) Group school counselor candidates in cohorts, to the extent practicable, to facilitate professional collaboration among residents, and ensure candidates are enrolled in a professional development program that is organized to support a high-quality school counselor learning experience in a supportive work environment.

(i) To receive a grant that supports school counselor residencies, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(j) When selecting residency grant recipients that include school counselors, the commission shall do both of the following:

- (1) Require applicants to demonstrate a need for school counselors, and to propose to establish or expand a residency program that recruits, prepares, and supports school counselors to work in a school within the jurisdiction of the sponsoring grant applicant.
- (2) Give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the school counselor workforce, have a higher percentage than other applicants of unduplicated pupils, as defined in Section 42238.02, and have one or more schools that exhibit one or both of the following characteristics:

(A) A school where 50 percent or more of the enrolled pupils are eligible for free or reduced-price meals.

(B) A school that is located in either a rural location or a densely populated region.

(k) A school counselor candidate in a residency program sponsored by a grant provided pursuant to subdivision (c) shall agree in writing to serve in one or more schools within the jurisdiction of the grant recipient that sponsored the candidate for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a pupil personnel services credential. A candidate who fails to earn a pupil personnel services credential or complete the period of the placement shall reimburse the sponsoring grant recipient the amount of grant funding invested in the candidate's residency training. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the candidate works as a school counselor at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient. A candidate shall have five school years to complete the four-school-year school counselor commitment.

(l) If a candidate is unable to complete a school year as a school counselor, that school year may still be counted toward the required four complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(3) The candidate was not able to work as a school counselor due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the succeeding school year.

(4) The candidate has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2061 et seq.) or similar state law.

(5) The candidate was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(m) For purposes of administering a school counselor residency grant program pursuant to subdivision (d), the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.

(3) Annually review each grant recipient's program and expenditure reports to determine if any candidate has failed to meet their commitment pursuant to subdivision (k).

(n) If the commission determines or is informed that a sponsored school counselor residency candidate failed to earn a pupil personnel services credential or meet their commitment to work as a school counselor pursuant to subdivision (k), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the candidate and the grant recipient. The amount to be recovered shall be adjusted proportionately to reflect the service

provided if the candidate worked as a school counselor at least one year, but less than four years, at the sponsoring grant recipient.

(o) Upon confirming the amount to be recovered from the school counselor residency grant recipient pursuant to subdivision (n), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or program operated by a joint powers authority that does not receive a principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the candidate worked as a school counselor and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(p) An amount recovered by the commission or deducted by the Controller pursuant to subdivision (o) shall be deposited into the Proposition 98 Reversion Account.

(q) School counselor residency grant recipients may recover from a sponsored candidate who fails to earn a pupil personnel services credential or complete the period of placement the amount of grant funding invested in the candidate's residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate worked as a school counselor at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient.

(r) School counselor residency grant recipients shall not charge a school counselor resident a fee to participate in a school counselor residency grant program.

(s)(1) Notwithstanding subdivision (d), the commission may allocate up to ten million dollars (\$10,000,000) of the amount appropriated pursuant to subdivision (a) to capacity grants that shall be awarded on a competitive basis to local educational agencies or consortia, as designated pursuant to this section, partnering with regionally accredited institutions of higher education to create school counselor residency programs that lead to more credentialed school counselors that reflect a local educational agency community's diversity.

(2)(A) The commission shall determine the number of capacity grants to be awarded and the amount of the applicable grants.

(B) Notwithstanding subparagraph (A), individual capacity grants shall not exceed two hundred fifty thousand dollars (\$250,000) per grant recipient.

(t) The commission shall conduct an evaluation of the school counselor residency grants allocated

pursuant to this section to determine the effectiveness of this program in recruiting, developing support systems for, and retaining school counselors, and provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2027.

(u) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.